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| <b>TRANSMITTAL FORM</b><br><br><i>(to be used for all correspondence after initial filing)</i> |   | Application Number     | 10/777,950                 |
|  |   | Filing Date            | February 12, 2004          |
|  |   | First Named Inventor   | Tommy Rodrigues            |
|  |   | Art Unit               | 3635                       |
|  |   | Examiner Name          | W. Gilbert                 |
| Total Number of Pages in This Submission   | 3 | Attorney Docket Number | FDN-2797 (12080001.000019) |

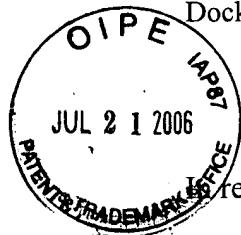
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| <b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b> |                                   |                 |
| Firm Name   | Sills Cummis Epstein & Gross P.C. |                 |
| Signature   |                                   |                 |
| Printed name                                      | Barry J. Marenberg, Esq.          |                 |
| Date  | July 18, 2006                     | Reg. No. 40,715 |

| <b>CERTIFICATE OF TRANSMISSION/MAILING</b>  |               |      |               |
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| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: |               |      |               |
| Signature   |               |      |               |
| Typed or printed name   | Juan C. Arias | Date | July 18, 2006 |

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Docket No. FDN-2797

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Where Application of: Rodrigues, et. al.

Filed: February 12, 2004 Group Art Unit: 3635  
Serial No: 10/777,950 Examiner: W. Gilbert  
For: Roofing Shingle

**RESPONSE TO RESTRICTION REQUIREMENT**

This Reply is in response to the Office Action mailed June 23, 2006 in the above-captioned application. A response is due on or before July 23, 2006.

**I. The Restriction Requirement**

In the Office Action, the Examiner has required restriction to one of the following inventions under 35 U.S.C. § 121:

Group I: Claims 1-35 and 50-52 drawn to a roofing shingle, classified in class 52, subclass 557.

Group II: Claims 36-49 drawn to the method of fabricating the shingle) classified in class 83, subclass 920.

Applicants elect the claims of **Group I** for prosecution in the present application.

Applicants reserve the right to prosecute the non-elected claims in a Divisional application.

**II. Election**

Further, pursuant to the requirement for election under 35 U.S.C. §121, Applicant elects the two-layered shingle species (Figures 1-18).

No fee is believed to be due for the submission of the above-listed items.

If any fee should be due, the Commissioner is hereby authorized to charge any additional fee, or credit any overpayment to Deposit Account No. 03-1250. A duplicate copy of this transmittal is enclosed.

Respectfully submitted,

Barry J. Marenberg, Esq.,  
Reg. No. 40,715

Date: July 18, 2006

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